

REMARKS

Present application contains claims 1 through 29. Claims 1, 3, 9, 12-14, 18-21, 23-25 and 28 have been amended to cure certain minor informalities. Claim 29 has been added. No new matter has been added.

Making reference to the Office Action Summary, it is noted that the present action is a non-final action.

It is further noted that the drawings filed September 27, 2004 have been accepted.

Responsive to the Request for Election of Species under 35 U.S.C. §121, Applicant respectfully elects the species of figures 5-11.

The claims readable on the species of figures 5-11 are claims 1-29.

Applicant agrees with Examiner that claims 1 and 25 are generic.

Making reference to the detailed official action, paragraphs [0014] and [0023] have been amended to adopt the changes proposed by the Examiner. In this respect at paragraph [0014] 3-3' has been changed to read 3-3, and in paragraph [0023] at line 3, 3-3' has been changed to read 3-3, and at line 4, 4-4' has been changed to read 4-4.

Also, amendments have been made to paragraph [0023] abridging pages 3 and 4, and at line 2 on page 4, second line down from the bottom of [0023], T has been changed to 15b. In paragraph [0039] at page 8, 6 lines down from the

beginning of that paragraph, change the box spring BS has been changed to read a box spring (not shown).

The element "T" appearing on page 4 has been changed to 15b. The element "CL" has been added to the amended sheet containing figure 4.

Numerals "27a" and "28a" have been added to the sheet containing figure 5.

The element "BS" has been replaced by the designation ("not shown").

Page 6, paragraph [0033] has been amended at lines 8 and 15 to change the number 41 to the number 42.

Numeral 38 at line 1, paragraph [0039] appearing on page 8 has been changed to 64. In addition, after "member" appearing at line 3 of paragraph [0039], the numeral 65 has been inserted.

In view of the fact that all of the changes proposed by the Examiner have been adopted, it is submitted that the application now is in condition for examination on the merits and allowance.

Responsive to the Examiner's remarks regarding Alexander Patent 2,071,155, and Wolf Patent 2,277,693, there is no teaching of adjustable gripping means for gripping a mattress. In addition, making reference to the Alexander '155 patent, the upright 10 is not coupled to the inner end of the extension 12. Note, for example, newly added claim 29 which recites the bedrail of claim 1 wherein a lower end of said rail portion is coupled to an upper end of said support

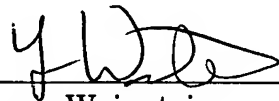
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portion so as to be positioned inwardly from an adjacent side of the mattress member. Noting the arrangement in Alexander, the person occupying the bed may experience discomfort by coming into contact with the upper surfaces of the extensions 12 taught by Alexander, which cannot occur with the present invention, as set forth in new claim 29.

In view of the foregoing, early examination and allowance of claims 1-29 are earnestly solicited.

Respectfully submitted,

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Enclosure(s)

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Amendment to the Figures:

Kindly replace the sheets originally filed containing figures 4 and 5 with the replacement sheets accompanying this Amendment.